

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
APPROPRIATIONS SUBCOMMITTEE**

Room 25 House Building

February 2, 2015

Members Present: Sen. Daniel W. Thatcher, Co-Chair
Rep. Eric K. Hutchings, Co-Chair
Rep. Keven J. Stratton, House Vice Chair
Sen. Curtis S. Bramble
Sen. Jani Iwamoto
Sen. Scott K. Jenkins
Sen. Ralph Okerlund
Rep. Rich Cunningham
Rep. Sophia DiCaro
Rep. Brian S. King
Rep. Merrill Nelson
Rep. Curtis Oda
Rep. Angela Romero
Rep. V. Lowry Snow

Members Excused: Sen. Wayne L. Niederhauser, President

Staff Present: Mr. Gary Syphus, Fiscal Analyst
Ms. Clare Tobin Lence, Fiscal Analyst
Ms. Cindy Hopkin, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Co-Chair Hutchings called the meeting to order at 8:14 a.m.

1. Base Budget - Treasurer

Ms. Clare Tobin Lence, Fiscal Analyst, introduced and presented base budget recommendations to the Subcommittee for the Treasurer's Office.

Mr. David C. Damschen, Utah State Treasurer, presented an overview of some of the key functions of the State Treasury. Included in their office operations is the Public Treasurers' Investment Fund (PTIF). The agency manages state and local public investments totaling on average about eleven billion dollars. They have over 500 municipalities and 3,000 distinct accounts that they manage and they process about fifty two thousand transactions per year. The Public Treasurer's Investment Fund (PTIF) compares favorably to Utah's peer states.

Mr. Damschen explained the role of the Money Management Council in overseeing the deposit and investment of public funds throughout the state and reviewing approximately 1,600 deposit and investment reports per year from all municipalities in the state. The agency leads, with other agencies throughout the state, on Treasury Process Initiatives that increase efficiency, reduce cost, and increase security. For example, smart card and mobile payments are a critical focus as the agency leads on an RFP development process for the state's merchant services contract that processes about a billion dollars a year in payments, roughly seven hundred million in state revenues, and three hundred million in revenues of local agencies that have opted onto this contract.

The agency is working with the Department of Health on implementation of a pharmacy rebate lockbox. They also worked with the Tax Commission to implement a technology called "image cash letter" which allows the Tax Commission to electronically convert and clear the checks that are paid to them. The agency realized an annual savings of about fifteen to twenty thousand dollars with that initiative. They handle debt management through general obligation bond refunding, and lease revenue (SBOA) bond refunding with a combined interest savings in excess of twelve million dollars.

Another area where the agency has debt related, as well as education related, impact is the School Bond Guaranty Program whereby the triple A rating of the state is passed to school districts. This rating creates significant intra-savings. The agency also administers the Charter School Credit Enhancement Program which was created in 2012 and to date has placed what is called a moral obligation pledge of the state on charter school bonds totaling two hundred sixteen million dollars. They estimate between fifty five and sixty five million dollars in interest savings on those bonds.

Mr. Dennis Johnston, Administrator, Unclaimed Property Division, presented the purpose of his agency which is to reunite lost property to the rightful owner, to protect holders from liability for those items after they've transferred properties to the State, and to ensure that any economic windfall from lost property benefits the State and its citizens through the uniform school fund.

Mr. Johnston also presented the agency's building block requests.

2. Base Budget: Utah Communications Authority

Mr. Gary Syphus, Fiscal Analyst, introduced the Utah Communications Authority (UCA) and presented the agency's Base Budget recommendations to the Subcommittee.

Mr. Steven Proctor, Executive Director, UCA, assisted by David Spatafore, UCA, presented the Base Budget needs for the agency.

During the recent snow storm (from Friday, January 29th at midnight through Saturday at

midnight), the agency processed three hundred thirty five thousand calls on radios used by first responders. The system has averaged about two hundred forty thousand calls per twenty four hours in the month of January 2016.

This system is a critical public safety network that serves a lot of agencies. There are about twenty three thousand radios served on the 800 megahertz radio network and about two thousand on the VHF radio network. The appropriations the UCA is requesting are to update and maintain the existing infrastructure. There are about 200 agencies (state, local and federal) that use the UCA network.

Mr. Spatafone explained that these first response calls are not 911 calls. They are radio calls between the dispatcher and the responders, and from the responders to each other to coordinate efforts during emergency situations. Two million dollars has been the rate that the state users (DOC, DPS, UDOT, and DNR) pay in their budget as monthly radio fees for O&M.

Two years ago, the government communications task force suggested that all communications (the 911 committee and all public safety radio) merge under UCA because their sole purpose was responding to public safety communications. The systems used by UCA are old so their goal is to rebuild the network and have everyone on the same network.

3. Base Budget: Courts

Mr. Syphus gave a description of the Utah Court System, their funding and projected base budget, their recent issue of budget deficit, and the committee's base budget recommendations.

Mr. Dan Becker, State Court Administrator, assisted by Mr. Ray Wahl, Deputy State Court Administrator, presented some of the Judicial Branch's successes and challenges, and responded to the committee's base budget recommendations.

The Utah State Courts has conducted an access and fairness survey every other year during the months of June and July for the past six years. The agency hires law school interns and sends them out to every court house across the state to interview people as they leave the courthouse. The results of the 2015 survey were very positive.

The compensation increases that the agency received for FY 2016 went to Trust Fund Restoration, a child welfare mediator and the new Provo Courthouse.

All of the Utah State Courts trial operations are now electronic, and e-filing is now required for all case types. Being entirely electronic in state court operations is a milestone that only Utah and Iowa have been able to achieve.

Utah District Courts have increased the percentage of cases disposed within the time standard set

for each case type by the Utah Judicial Council. When the agency began their focus on case management in 2010, the average age of a case was 373 days; it is now 188 days. Every case type in every jurisdiction has seen improvement over the five year period from 2010 to 2015.

On July 7, 2015 the first sessions were held in the new Ogden Juvenile Courthouse which replaced an old building that had many security and safety issues.

Mr. Becker spoke about some of the Courts' challenges that they were able to handle internally such as Succession Planning, Removing Access to Justice Barriers, the Justice Reinvestment Initiative (JRI), and a Juvenile Justice Study.

The courts are appropriately staffed across the state with two exceptions: the 4th Juvenile Court and the 5th District Court. These two districts have been understaffed for the past five years and the agency is requesting help from the subcommittee in acquiring two additional judgeships to fill this need. The Courts also need help with their information system re-write. The current systems have served the agency well for the past 20 years, but are now out dated making it difficult to find programmers, and to maintain security for the fifty-eight million documents in the CORIS system.

4. Base Budget: Guardian Ad Litem

Mr. Gary Syphus, Fiscal Analyst, introduced the Guardian Ad Litem (GAL) and presented the agency's Base Budget recommendations to the Subcommittee.

Ms. Stacey Snyder, Director, Office of Guardian Ad Litem, presented some history and background . During the 2014 General Legislative Session, GAL requested one million three hundred thirty six thousand four hundred dollars to fully address compensation for their attorneys. The Legislature's appropriation of three hundred thousand dollars has helped to slow turnover in the office and has improved consistency in representation to children.

GAL attorneys have consistently been paid less than their counterparts at the AGO which has resulted in high turnover rates for the GAL. During the 2014 and 2015 General Legislative Sessions, the AGO was appropriated additional money for attorney salary increases further increasing the gap between the salaries of attorneys in the GAL and AGO. Ms. Snyder requested that this ongoing disparity be addressed in order to retain highly trained attorneys in the GAL.

Ms. Snyder presented an overview of what the GAL attorneys and Court Appointed Special Advocates (CASA) do. GAL attorneys have an average caseload of 131 children on their caseload, with 10,824 children being represented statewide. They attended 36,109 hearings, participated in 102 appeals on behalf of their clients, engaged in 54,034 activities in order to complete an independent investigation, met with the 10,824 children 29,461 times within the year, attended 2,072 Court ordered mediations, and participated in 7,562 Family Team meetings.

There are 776 CASAs statewide that have served 1,274 children and donated 34,264 volunteer hours.

Unlike the AGO, the GAL attorneys are "at will" employees which means their raises, other than cost of living, are based on the budget money that is available to provide raises, unlike merit employees that receive raises based on the number of years they are employed.

Ms. Snyder has a goal to recruit attorneys that are dedicated to child welfare; to be able to train them and then retain them through compensation. The GAL hires excellent people, trains them well and then sadly cannot compensate them and so they leave. They often leave to go to the AG's office in the child welfare division or as juvenile defenders. They continue to do similar work so the passion for children's welfare is there, but they left because of salary. Ms. Snyder stated that it is hard on the children to have an attorney represent them and then leave and a new person comes in. These children have enough people coming and going in their life. And the people who work hard to help these children deserve to be taken care of for what they do.

5. Discussion of Base Budgets & Vote

Rep. Hutchings presented a handout of Base Budget options from the analysts and the response of the various agencies, and requested that the committee members research, ask questions, and suggest adjustments about the Base Budget for the next committee meeting.

MOTION: Rep. Cunningham moved to adjourn. The motion passed unanimously with Sen. Bramble, Sen. Iwamoto, Sen. Jenkins, Sen. Niederhauser, and Sen. Okerlund, absent for the vote.

Co-Chair Hutchings adjourned the meeting at 10:50 a.m.

Sen. Daniel W. Thatcher, Co-Chair

Rep. Eric K. Hutchings, Co-Chair